

**REMARKS**

The Office Action mailed on July 23, 2004 is acknowledged. Applicant requests re-examination of the above-mentioned application in view of the following remarks.

**Objection of Claim 1**

The Examiner has objected to claim 1 because in line 6, "to" should be changed to "and", as in claim 12 (a).

Applicant has amended claim 1 to change "to" to "and". Accordingly, Applicant requests that the Examiner withdraw the objection to claim 1.

**Rejection of Claims 1-3 and 5-20 over Wang**

The Examiner has rejected claims 1-3 and 5-20, under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,455,083, issued to Wang ("Wang"). The Examiner asserts that Wang discloses "a pet chew including meat or meat meal, starch flour, vitamins C and E and herbs."

Claim 1, as amended, recites that an element of the present invention comprises "a carrying agent comprising about 90% to about 50% by weight of the composition, wherein said at least one carrying agent comprises a *copolymer*." Claim 12, as amended, recites that the milled meat product is blended "with a *copolymer* carrying agent until homogeneity of a blended product is achieved."

Applicant respectfully submits that, inter alia, Wang does not disclose or teach all the elements of the present invention as claimed. In particular, Wang does not disclose or teach a "copolymer carrying agent."

For at least the foregoing reason, Applicant respectfully submits that claims 1-3 and 5-20 distinguish over any and all disclosure and teaching of Wang. As such, Applicant respectfully requests that the rejections, under 35 U.S.C. § 103(a), of claims 1-3 and 5-20 be

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removed from the present application and that the application be found in a condition for allowance.

### **Rejection of Claim 4 over Wang and Gluck**

The Examiner also rejected claim 4, under 35 U.S.C. § 103(a), as being unpatentable over Wang as applied to claims 1-3 and 5-20, and further in view of U.S. Patent No. 6,228,418, issued to Gluck et al. ("Gluck et al.")

As discussed above with regard to Wang, the claims of the present invention (including claim 4) recite an element of a "carrying agent comprising a copolymer" or a "copolymer carrying agent". Inter alia, Wang does not disclose or teach this element. Likewise, Gluck et al. does not disclose or teach this element and, as such, does not ameliorate the deficiency of Wang in reaching all the elements of the present invention. Accordingly, claim 4 distinguishes over the disclosure and teaching of Wang and Gluck et al.—either by themselves or in combination.

For at least the foregoing reason, Applicant respectfully submits that claim 4 distinguishes over any and all disclosure and teaching of Wang and/or Gluck et al. As such, Applicant respectfully requests that the rejection, under 35 U.S.C. § 103(a), of claim 4 be removed from the present application and that the application be found in a condition for allowance.

### **Rejection of Claims 1-3 and 5-20 over Axelrod et al.**

The Examiner has rejected claims 1-3 and 5-20, under 35 U.S.C. § 103(a), as being unpatentable over Axelrod. The Examiner asserts that Axelrod discloses "a pet chew including animal meal, starch, a copolymer, vitamins C and E and other nutraceuticals."

Claim 1, as amended, recites that an element of the comprises is "a carrying agent *comprising about 90% to about 50% by weight of the composition*, wherein said at least one carrying agent comprises a copolymer." Claim 12, as amended, recites that the milled meat

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product is blended "with a *copolymer* carrying agent until homogeneity of a blended product is achieved; and wherein the blended product comprises . . . *about 90% to about 50% by weight* of the copolymer carrying agent."

Applicant respectfully submits that, inter alia, Axelrod does not disclose or teach all the elements and limitations of the present invention as claimed. In particular, Axelrod does not disclose or teach a copolymer carrying agent comprising "about 90% to about 50% by weight" of the composition.

For at least the foregoing reason, Applicant respectfully submits that claims 1-3 and 5-20 distinguish over any and all disclosure and teaching of Axelrod. As such, Applicant respectfully requests that the rejections, under 35 U.S.C. § 103(a), of claims 1-3 and 5-20 be removed from the present application and that the application be found in a condition for allowance.

### **Rejection of Claim 4 over Axelrod and Gluck et al.**

The Examiner further rejected claim 4, under 35 U.S.C. § 103(a), as being unpatentable over Axelrod as applied to claims 1-3 and 5-20, and further in view of Gluck et al.

As discussed above with regard to Axelrod, claim 4 of the present invention recites an element of a "carrying agent comprising about 90% to about 50% by weight of the composition, wherein said at least one carrying agent comprises a copolymer". Inter alia, Axelrod does not disclose or teach this element and/or limitation. Likewise, Gluck et al. does not disclose or teach this element of a carrying agent "comprising about 90% to about 50% by weight of the composition" and, as such, does not ameliorate the deficiency of Axelrod in reaching all the elements and/or limitations of the present invention. Accordingly, claim 4 distinguishes over the disclosure and teaching of Axelrod and Gluck et al.—either by themselves or in combination.

For at least the foregoing reason, Applicant respectfully submits that claim 4 distinguishes over any and all disclosure and teaching of Axelrod and/or Gluck et al. As such,

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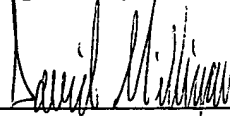
Applicant respectfully requests that the rejection, under 35 U.S.C. § 103(a), of claim 4 be removed from the present application and that the application be found in a condition for allowance.

### Conclusion

For the reasons set forth above, Applicant believes all pending claims are allowable. Accordingly, Applicant believes that the present application is in condition for allowance and respectfully requests passage thereof. Applicant invites the Examiner to contact Applicant's undersigned representative should there be any remaining issues in the application.

Please charge any underpayment of fees due in connection with the filing of this paper to Deposit Account No. 02-0390 and please credit any excess fees to such deposit account.

Respectfully submitted,



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